

FOGLAND BEACH OVERSIGHT COMMITTEE

Regular Meeting Minutes 13 December 2006

Members present: T. Ramotowski (Chairman, Conservation Commission), D. Merriman (Neighborhood Representative), J. Cook (Chairman, Recreation Commission), D. Webster (Director of Public Works) and M. Van Hof (Open Space Commission)

Members absent: G. Steckman (Town Administrator) and S. Carr (Harbor Management Commission)

Also present: R. Elder

Chairman Ramotowski called the meeting to order at 5:03 PM at the Tiverton Community Center, 346 Judson Street.

I. Public Delegations

There were no public delegations.

II. Administrative Matters

• Approval of Minutes

Mr. Webster made a motion to approve the minutes of the 25 October 2006 regular meeting as submitted. Seconded by Mr. Cook.

VOTE: Motion passed unanimously.

• Approval of Meeting Dates for CY 2007

By unanimous consent, the Oversight Committee approved its meeting schedule for 2007. The Oversight Committee will meet on the second Wednesday of every other month at 5:00 PM in the Community Center beginning in February of 2007. There will also be two inspection tours of Fogland Beach, to take place on the third Thursday of May and September 2007, respectively. The inspection tours will begin at 4:30 PM in the parking area to the southeast of the bathhouse.

• Miscellaneous Correspondence

There was no miscellaneous correspondence.

III. Committee Member Reports

- **Town Administrator**

There was no report.

- **Director of Public Works**

Mr. Webster stated that he had nothing to report.

- **Neighborhood Representative**

Mr. Merriman stated that he felt it was important to keep items of unfinished business on the meeting agenda. In particular, Mr. Merriman questioned why the signage, camping, the consolidated list of rules, and possible beach fee increases no longer appeared on the agenda.

Chairman Ramotowski stated that he had initiated a major overhaul of the Oversight Committee's meeting agendas in an attempt to keep the group focused on the major charges assigned to it by the Town Council. Chairman Ramotowski stated that it was critical that the Oversight Committee make some progress towards those goals this year. The new agenda format does allow discussion of such issues under the "Committee Member Reports" section – any Committee member can bring up any issue of concern under his/her monthly report to the entire Committee. Mr. Merriman stated that he disagreed with that approach and would prefer to see the unfinished business items placed back on the monthly agenda.

It was the consensus of the Oversight Committee to continue with the new agenda format for a period of time to see how it works out.

Mr. Merriman stated that he was very concerned about the manner in which storm-deposited sand was removed from Fogland Point Road after a storm at the end of October. A considerable amount of sand was deposited by storm action on the road; it was scooped up by the DPW and deposited on the beach along the south side of the road. The backhoe that removed the sand from the road was used to smooth out the sand deposited on the beach. During this process, which extended down almost to the edge of the water, the backhoe significantly changed the contour of the beach for hundreds of years along the road. A considerable amount of beach grass that was growing on the beach was plowed under during this contouring operation.

Mr. Merriman stated that this entire operation was illegal because the DPW did not obtain a permit from the CRMC authorizing the work. The grading/smoothing operation was destructive and irreparably damaged beach flora. Mr. Webster defended the actions of the DPW. The large amounts of sand deposited on the road by the storm made driving on the road hazardous, and the Town has a responsibility for public safety. In addition, the activity was covered under the routine maintenance agreement between the Town and the CRMC, which allows sand removed from the road to be returned the beach in the "immediate vicinity" of the location from which it was removed.

Mr. Merriman stated that the road cleaning operation went too far when the backhoe changed the grade and topography of the beach far from the edge of the road. Chairman Ramotowski stated that the CRMC agreed to allow the Town to removed sand from the paved roadway, but the guidance it provided for the disposal of the removed sand was vague. Mr. Van Hof stated that the dune grass is fragile, but would probably come back. Chairman Ramotowski stated that the issue of sand removal from the road and its ultimate disposition is something that will be covered in the long-term management plan for the beach that the Oversight Committee will be developing at the direction of the Town Council. Previous discussions on this subject have largely centered on minor amounts of sand removed from the road by street sweeping activities. This incident involved a considerably larger amount of material – and the CRMC never informed the Town what should be done with such a large amount of sand.

Mr. Merriman stated that the wording on sign listing the rules for Fogland Beach did not match the wording in the Town Code. Mr. Cook stated that he would review the wording again to ensure that it was correct. The Town Solicitor has not indicated that any changes to the wording were necessary. The final design for the signs has not yet been set; prices are being obtained for several options.

Mr. Merriman stated that he was concerned about the wording on the sign about camping. The last wording he had seen indicated “overnight camping” was prohibited, but in reality all camping is prohibited at Fogland – day camping and overnight camping. Chairman Ramotowski pointed out that it would be almost impossible to determine if someone in an RV was “camping” during the day. The major concern is that people not camp overnight on the beach because no facilities are available. In addition, camping is not a permitted use in the zone in which Fogland Beach is located.

- **Recreation Commission**

Mr. Cook reported that the Recreation Commission will be considering possible increases to the beach fees for non-residents at its January 2007 meeting. The Commission will also be considering increased parking fees for large vehicles, such as RVs, that park at the beach.

- **Conservation Commission**

Chairman Ramotowski provided Committee members with a summary of the history of the ISDS application of L. Nogueira for lot 20, map 1-3, block 185 off of Three Rod Way. The lot in question directly abuts Town-owned property at Fogland – part of the western salt marsh near the windsurfer beach. Although the application appears to be stalled at RI-DEM at the moment, the Conservation Commission will probably send a letter of objection to RI-DEM after it discusses the matter at its December 2006 regular meeting.

- **Open Space Commission**

There was no report.

- **Harbor Commission**

There was no report.

IV. Progress Towards Common Goals

- **Detailed Map/Survey of Town-Owned Property at Fogland**

- **FY 06-07 Budget Request**

Chairman Ramotowski stated that he had spoken with a representative of Civil Engineering Concepts concerning the need for new aerial photographs for the survey. Apparently, new photos are needed, because the photos will include reference targets that will allow the surveyors to properly scale the map. The aerial photos available from other sources would not include these targets and, therefore, are not usable.

Mr. Webster stated that the level of effort and class of the survey need to be carefully considered. Class I standards are probably needed at the eastern and western sides of the property where Town-owned land abuts privately held land. The western border of the property presents a special problem because of the uncertainty associated with the original approved location for Three Rod Way. The Fogland survey will undoubtedly run into this problem; it would be useful if it can help resolve the issue.

- **Long-Term Management Plan for Fogland Beach**

Chairman Ramotowski stated that he had been contacted by Dexter Miller, a representative of RI-DEM, who had requested that the statement of work (SOW) for the existing grant be revised. Chairman Ramotowski stated that he would work with RI-DEM to revise the SOW to include the Town-funded mapping/surveying effort for next fiscal year.

V. Adjournment

There being no further business to discuss, the December 13, 2006 meeting of the Fogland Oversight Committee adjourned at 6:05 PM.

These minutes were prepared by T. Ramotowski.